

RESOLUTION NO. 02-15

**A RESOLUTION APPROVING USE OF INDIANA CODE § 5-23
INCLUDING BUILD, OPERATE, AND TRANSFER PROVISIONS**

WHEREAS, Indiana Code § 5-23 has been available since 1997 in order to allow governmental agencies to achieve flexibility, economy and accountability in performing public works; and

WHEREAS, the use of I.C. § 5-23 by the City of West Lafayette may provide significant cost and time savings in City related projects in general and the State Street Project in particular; and

WHEREAS, the Common Council of the City of West Lafayette is required by I.C. § 5-23-1-1 to adopt the provisions of I.C. § 5-23 before it can be utilized by the City for any project including the State Street Project; and

WHEREAS, unlike existing procedures commonly used by the City, the provisions of I.C. § 5-23 require a public notice and public hearing before a provider is selected to perform a project; and

WHEREAS, the City of West Lafayette and Purdue University have been cooperatively planning the State Street Project and anticipate the possible use of I.C. § 5-23 as a more cost efficient, timely, and accountable method of project delivery than existing methods available to the two (2) parties; and

WHEREAS, this cooperation between the City of West Lafayette and Purdue University is consistent with, and in furtherance of, the objectives of the interlocal cooperation agreement that was entered into between them in connection with the annexation by the City of lands occupied by the University in 2014, including without limitation the formation of a Joint Board composed of representatives of both parties that provides a framework for ongoing collaboration on matters of mutual interest and shared responsibility following the annexation; and

WHEREAS, passing this resolution will promote the public good and welfare by providing an additional mechanism to allow the City and/or the Joint Board to accomplish projects such as the State Street Project with less cost, more rapid and efficient delivery, and full accountability.

THEREFORE, be it Resolved, the City of West Lafayette hereby adopts the provisions of I.C. § 5-23 et seq. and the Mayor and the Mayor's designees are hereby authorized to proceed thereunder